

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

Kimberly Foster,

Plaintiff,

v.

The Swiss Colony, LLC, d/b/a Ginny's Inc.

Defendant.

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Civil Action No.: 3:14-cv-00091-L

STIPULATION OF DISMISSAL WITHOUT PREJUDICE

WHEREAS, none of the parties to the above-captioned action is an infant or incompetent person; and

WHEREAS, the parties in the above-captioned action wish to discontinue the litigation;

IT IS HEREBY STIPULATED AND AGREED by and between the parties and/or their respective counsel as follows that, pursuant to FRCP 41(a)(1)(A)(ii), the above-captioned action is hereby dismissed against Ginny's, Inc. [misnamed in the Complaint as "The Swiss Colony, LLC d/b/a Ginny's Inc."] without prejudice.

Kimberly Foster

Ginny's Inc.

/s/ Jody B. Burton

Jody B. Burton

Bar No. 71681

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Attorney for Plaintiff

/s/ Michael H. Bernick (with permission)

Michael H. Bernick

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Attorney for Defendant

SO ORDERED this _____ day of _____, 2014

Sam A. Lindsay

United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on April 17, 2014, a true and correct copy of the foregoing Stipulation of Dismissal was served electronically by the U.S. District Court for the Northern District of Texas Electronic Document Filing System (ECF), which sent notice of such filing to the following party:

Michael H. Bernick
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Attorney for Defendant

By /s/ Jody B. Burton
Jody B. Burton